

**IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF WEST VIRGINIA
HUNTINGTON DIVISION**

UNITED STATES OF AMERICA,

Respondent,

v.

CRIMINAL ACTION NO. 3:98-00047-01
CIVIL ACTION NO. 3:05-0079

KELVIN ANDRE SPOTTS

Movant.

JUDGMENT ORDER

In accordance with the accompanying order, the Court **DISMISSES** Kelvin Spotts' §3582 motion, without prejudice, and **ORDERS** that this case be dismissed and stricken from the docket of this Court.

The Court **DIRECTS** the Clerk to send a certified copy of this Order to Magistrate Judge Taylor, counsel of record, and any unrepresented parties.

ENTER: August 31, 2005

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', is written over a horizontal line.

ROBERT C. CHAMBERS
UNITED STATES DISTRICT JUDGE